

## **REMARKS**

Receipt of the Office Action of April 27, 2011 is gratefully acknowledged.

Claims 18 - 34 have been examined in this RCE application with the following results: claims 18 - 34 are rejected under 35 USC 112, first paragraph for "...failing to comply with the enablement requirement;" claims 18 - 20, 22, 23 and 33 are rejected under 35 USC 103(a) Langels et al in view of Heidepriem; claim m21 is rejected under 35 USC 103(a) over Langels et al in view of Heidepriem, and Larson et al; claims 24 - 32 are rejected under 35 USC 103(a) over Langels et al in view of Heidepriem and Cook et al; and claim 34 is rejected under 35 USC 103(a) over Langels et al in view of Heidepriem, cook et al and Van Der Pol.

The noted rejections have been carefully considered and respectfully traversed.

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### **35 USC 112, first paragraph**

The examiner identifies the person skilled in the art as being "[ a] person of ordinary skill in the art of generating pulses in a drilling fluid...", and consequently deduces that such a person having ordinary skill in the art (PHOSITA) skilled in that field cannot make and use the invention as claimed. But since the field to which the current invention pertains is the field of digital data communication in industrial facilities the (PHOSITA) must be a person having ordinary skill in the art of digital communication and not in the art of drilling fluids. Hence a person skilled in the art of digital communication would definitely be able to carry out the invention as described in the specification of the present application from the disclosure in the application.

The noted recitation, i.e., "via the additional communication connecti0ons that

is arranged between the two communications connections..." is clearly shown by the circuit in Fig. 1, for example. From the description on pages 4 and 5 of the specification, the skilled person in digital communications, should have no difficulty in understanding how the noted circuit functions, which is all that is required by the enablement requirement of 35 USC 112, first paragraph. This description is provides sufficient enablement commensurate in scope to that of claim 18, *In re Marzocchi*, 169 USPQ 367 (CCPA, 1971).

Therefore, the rejection based on 35 USC 112, first paragraph cannot be sustained and should be withdrawn.

### **35 USC 103(a):**

It is important to once again note that Heidepriem does not disclose or suggest that an additional communication connection between the first and the second of the two communication connections is used. On the contrary Heidepriem discloses, referring to § [0027] that: " the illustrated unit C has three physical communication interfaces" denoted with reference signs 4 in Figure 3 of Heidepriem. The additional connection suggested by Heidepriem is therefore between the devices themselves and not between the communication connections. In the paragraphs cited by the examiner no teachings can be found supporting the examiner's position. On the contrary it can not be stressed enough that by the present invention there is no need for a second or even third I/O unit as suggested by Langels or Heidepriem. According to the present invention the transmission of digital signals between the two measurement transmitters and the control system can be accomplished by the additional communication connection that is arranged between the two communication connections of the two measurement devices - therefore not requiring an additional I/O unit. Therefore no other interpretation of the additional communication than being connected directly -as shown in Figure 1 of the present application- to the first and the second communication connection is possible.

Since claim 18 is the only independent claims and since Langels et al and Heidepriem as combined cannot, it is respectfully submitted, render claim 18 obvious, it is not necessary to consider the other art cited.

The examiner has objected to the drawings. In reply a REPLACEMENT SHEET for Fig. 1 is being submitted herewith, which should overcome this objection.

In view of the foregoing, reconsideration and reexamination are respectfully requested and claims 18 - 34 found allowable.

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Respectfully submitted,  
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